



Appeal Decision

Site visit made on 16 January 2024

by G Sibley MPLAN MRTPI

an Inspector appointed by the Secretary of State

Decision date: 12 April 2024

Appeal Ref: APP/R0660/W/23/3319981

47 Blakelow Road, Macclesfield SK11 7ED

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr Michael Horn against the decision of Cheshire East Council.
 - The application Ref is 22/2055M.
 - The development proposed is construction of a 3-bedroom detached house with garden store, access and driveway.
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Decision

1. The appeal is allowed and planning permission is granted for construction of a 3-bedroom detached house with garden store, access and driveway at 47 Blakelow Road, Macclesfield SK11 7ED in accordance with the terms of the application, Ref 22/2055M, subject to the conditions contained in the Schedule of Conditions at the end of this decision.

Preliminary Matters

2. It was agreed between the parties during the determination of the application for the description of development given on the application form to be changed to remove reference to the car barn and include a garden store instead. Accordingly, I have used this revised description in this decision, and I am satisfied that the parties would not be prejudiced by this approach.
3. Since the council issued its decision the National Planning Policy Framework (the Framework) has since been updated. I have provided the council and the appellant the opportunity to comment on the updates to the Framework and I have taken into consideration these comments in this decision.
4. Since the application was determined the council adopted the Site Allocations and Development Policies Document (SADPD) which replaced the saved policies of the Macclesfield Borough Local Plan. The council has provided a copy of the relevant policies in the SADPD in relation to this appeal. The SADPD was adopted prior to the submission of the appeal and as such the appellant and the council had the opportunity to comment on the SADPD in relation to this appeal in their submissions.

Main Issues

5. The main issues are the effect of the proposal upon the character and appearance of the area; and the effect of the proposal upon the significance of 58 Blakelow Road as a non-designated heritage asset.

Reasons

Character and Appearance

6. The Cheshire East Design Guide (adopted 2017) (CEDG) states that bespoke housing designs are welcome as long as they take account of local context; adding that such designs should be justified, work with local grain, and be well detailed.
7. The council has not provided a definition of what it considers to be a 'traditional' style dwelling that, it is claimed, the proposal would jar with. The dwellings in the area are generally two storey buildings that are built from red brick with pitched roofs and follow a consistent building line. In the area there are dwellings that appear to be of considerable age as well as a mix of modern post war development. Whilst red brick is commonly used in the area there is some variety in the use of materials as well as the design of the houses and this variety creates an attractive street scene whereby no singular design dominates the area.
8. The proposed dwelling would be a two-storey house which would be consistent with the scale of the other dwellings locally. The house would also have a pitched roof which is common in the area, although the narrow gable end of the house would face the road which would be uncommon. However, further down Blakelow Road there is a group of terrace properties, which have narrow frontages facing Blakelow Road. Whilst the front door to the house would be located on the flank wall of the house, there is precedent for narrow fronted dwellings in this locality. Additionally, the front elevation would have four windows as well as some limited architectural detailing and this would address the road creating visual interest and engagement with it.
9. The property would be built in line with the neighbouring dwellings set back from the roadside which would ensure the siting of the house would be consistent with the existing pattern of development. The scale of the house would sit comfortably within the space available with adequate parking and private garden provided. There would be appropriately sized gaps either side of the house and these alongside the other factors mentioned would ensure the scale and siting of the dwelling would sit comfortably within the street scene.
10. The materials proposed are not commonly used, although there are timber additions and outbuildings in the area. The materials alongside the design of the house would create a modern barn style dwelling that would contrast with the surrounding houses. However, given the varied appearance of buildings locally, the materials proposed would not appear discordant alongside the other dwellings within the street scene. Additionally, the materials proposed would have a muted appearance which would soften the appearance of the building. This would contribute to ensuring the house would not jar with the surrounding development.
11. Given that no singular design dominates the area there is scope within this street scene to accommodate uniquely designed dwellings without causing harm to its character and appearance. The contemporary design of the dwelling would represent a high-quality modern design. Whilst this would contrast with the existing dwellings in the area, the varied vernacular of the area would ensure that the proposal would not be discordant within its context.

12. The scale and siting of the house would be appropriate within the area, and this would contribute to ensuring the dwelling would sit comfortably alongside the other houses in the street scene. Whilst the materials and modern design would generally contrast with the surrounding houses, I am satisfied that the scheme, on balance, would be well detailed, take account of local context and work with the local grain. Given that this would be a single dwelling, its unique design would positively contribute to the attractive variety in the design of houses in the area. Overall, the high-quality design of the dwelling would lead to an enhancement to the character and appearance of the area.
13. The proposed garden store would be located to the rear of the garden, and there are several large outbuildings located in similar locations in the neighbouring gardens. The outbuilding would be a single storey building and would be a modestly sized structure with regard to both the house and the garden. The materials would be approved via a condition which should ensure it would appear subservient to the house. Overall, given the location of the building to the rear of the site and its modest size, it would not appear out of character in the area and would sit comfortably alongside the other outbuildings in the neighbouring gardens.
14. Therefore, the proposed dwelling would not harm the character or appearance of the area. Consequently, the proposal would accord with Policies SE1 and SD2 of the Local Plan Strategy 2010-2030 (LPS) and Policy GEN1 of the SADPD and the CEDG. These policies seek, amongst other matters, to ensure that development proposals should make a positive contribution to their surroundings. The scheme would also generally accord with the Framework insofar as it states that significant weight should be given to development that would help raise the standard of design more generally in an area, so long as they fit within the overall form and layout of their surroundings.

The significance of 58 Blakelow Road as a non-designated heritage asset

15. There are several non-designated heritage assets, not including 58 Blakelow Road as well as a Grade II listed building on Blakelow Road. However, given the distance between these buildings and the appeal site it is considered that the proposal would not affect the setting of these buildings.
16. Indirectly opposite the site is No 58 which is a non-designated heritage asset. No 58 is a large Victorian vicarage that has been built in a Gothic style and consists of red brick with a slate roof and French windows. The significance of the building partly derives from the detailed architectural design as well as its siting within spacious grounds.
17. The setting around the building is a suburban street where there are a mix of dwellings built in varying styles and the appeal site forms part of this wider setting. No 58 can be seen when viewed from both directions along Blakelow Road as well as from a Public Right of Way (PRoW) that is located next to No 58. Given that the house is proposed to be built on the opposite side of the road and would be built in line with the other houses, it would not hinder views of No 58 when viewed along Blakelow Road. Additionally, the PRoW is also located on the opposite side of the road to the appeal site and No 58 blocks most views of the appeal site.
18. As set out above, the house would not harm the character and appearance of the area which forms the setting of No 58. The setting around No 58 is

residential in character and a house on the appeal site would be consistent within this setting. Whilst the design of the proposed dwelling would contrast with No 58, given the variety in the design of houses locally, the modern dwelling would not detract from this residential setting around No 58.

Accordingly, the significance of the building, insofar as it relates to its setting, would not be harmed by the proposal. The proposal would not directly affect the detailed architectural design of the building nor its spacious grounds and thus not harm the significance of these elements of the building.

19. Therefore, the proposal would not harm the significance of the non-designated heritage asset. Consequently, it would accord with Policies SE1, SE7 and SD2 of the LPS as well as policies DE1, HER1, HER4 and HER7 of the SADPD. These seek, amongst other matters, to ensure that a balanced judgement will be required, having regard to the significance of the heritage asset and the scale of any loss or harm. The proposal would also generally accord with the Framework insofar as it relates to heritage matters.

Other Matters

20. The proposed house would partly enclose the outlook from the rear of No 49 however, given the gap that would be retained between the houses and the limited overall depth of the proposed house, the outlook from these rear rooms would not be harmfully enclosed. Additionally, given the orientation of the houses and the limited overall depth of the proposed dwelling, the rear of the house and garden would still receive adequate levels of light throughout most of the day. From the rear garden there are views over Macclesfield and the proposed house would partly enclose these, however given the significant depth of the garden this outlook would not be harmfully enclosed and from most of the garden this outlook would still be enjoyed.
21. A relatively large gap would be retained between the proposed house and 45 Blakelow Road and the rear elevation of the house would be built generally in line with No 45. Accordingly, from the rear rooms of No 45, the proposal would not harmfully enclose the outlook and these rooms would still receive adequate light throughout most of the day. Additionally, the siting of the house generally in line with No 45 would ensure it would not appear overbearing when viewed from within the garden.
22. The windows on the flank walls of the first floor of the proposed dwelling closest to the rear of the house would be located to ensure the cone of view would generally be limited to the flank wall of the houses either side. Given the siting of the proposed house and the flank windows, the view from the first-floor windows would not overlook the patio areas and gardens to the rear of each house and they would retain a similar level of privacy as already enjoyed and remain private and not harmfully overlooked.
23. The internal driveway within the site is not proposed to extend to the garden store to the rear and as such vehicles should not drive past the rear elevation of the neighbouring houses. This would ensure the use of this building would not lead to harmful disruption to the neighbouring occupants from noise and lights from vehicles entering and exiting the site.

Conditions

24. Further to the statutory commencement condition [1] a condition requiring the development is carried out in accordance with the approved plans is necessary in the interest of certainty [2].
25. Whilst the materials are identified on the proposed plans a condition requiring the surface materials to be used are approved by the local planning authority is necessary in the interest of character and appearance [3].
26. A condition ensuring nesting birds are protected during construction is necessary in the interest of safeguarding biodiversity [4].
27. A condition requiring a strategy to deliver biodiversity enhancements is necessary in the interest of delivering the biodiversity benefits associated with the scheme. However, it would not meet the tests of necessity for this to be provided prior to the use of any building materials [5].
28. It is necessary for a landscaping scheme to be provided and maintained in the interest of character and appearance [6 and 7].

Conclusion

29. For the reasons given above the proposed development would accord with the development plan as a whole. The other material considerations do not indicate that a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be allowed.

G Sibley

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: CSD-2084-02D; CSD-2084-03C; CSD-2084-04B; 210120-1000-Rev P2; and 210120-1500-Rev P2.
- 3) Prior to their use, the materials to be used in the external surfaces of the development hereby permitted shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.
- 4) No removal of any vegetation or the demolition or conversion of buildings shall take place between 1st March and 31st August in any year, unless a detailed survey has been carried out to check for nesting birds. Where nests are found in any building, hedgerow, tree or shrub or other habitat to be removed (or converted or demolished in the case of buildings), a 4 metre exclusion zone shall be left around the nest until breeding is complete. Completion of nesting shall be confirmed by a suitably qualified person and a report submitted to and approved in writing by the local planning authority before any further works within the exclusion zone take place.
- 5) Prior to the first occupation of the development hereby approved a strategy for the incorporation of features to enhance the biodiversity value of the development shall be submitted to and approved in writing by the local planning authority. The strategy shall include proposals for the provision of features for nesting birds including house sparrow and roosting bats (any external lighting should avoid direct light spill upon bat roost features), brash and / or deadwood piles and native species planting. The proposals shall be installed in accordance with the approved details prior to the first occupation of the dwelling and retained thereafter.
- 6) Prior to the first occupation of the development hereby approved details of both hard and soft landscape works shall be submitted to and approved in writing by the local planning authority. These details shall include:
 - i) Planting plans
 - ii) Written specifications (including cultivation and other operations associated with tree, shrub, hedge or grass establishment)
 - iii) Schedules of plants noting species, plant sizes, the proposed numbers and densities; and
 - iv) an implementation programme, including phasing of work where relevant.

The landscaping works shall be carried out in accordance with the approved details before any part of the development is first occupied in accordance with the agreed implementation programme. The completed scheme shall be managed and / or maintained in accordance with an approved scheme of management and / or maintenance.
- 7) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons

following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.